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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,109	09/08/2003	Kang Soo Seo	1740-000049/US	7044
30593 7590 05/16/2007 HARNESSE, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER WENDMAGEGN, GIRUMSEW	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 05/16/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/656,109

Applicant(s)

SEO ET AL.

Examiner

Girumsew Wendmagegn

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 6/21/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claim1-7, 9-15 and 17-20** is rejected under 35 U.S.C. 102(e) as being anticipated by Okada et al (Patent Number US 6,266,483).

Regarding claim1, 17,19, Okada et al (hereinafter Okada) anticipates a recording medium having a data structure for managing reproduction of at least still images recorded on the recording medium, comprising: an information file area including at least one information file, the information file associated with a data file recorded on the recording medium (see figure 9A 9B and column6 line58-63), the data file including at least video data (see column7 line13-23), and the information file including a type indicator indicating whether the video data in the data file is for at least one still image (see figure10 element 60a Type).

Regarding claim2, Okada anticipates the recording medium of claim1, wherein the information file further includes a length indicator indicating a length of the information file subsequent to the length indicator (see column10 line 61-67).

Regarding claim3, Okada anticipates the recording medium of claim1, further comprising: a data area storing the data file (see column7 line13-23).

Regarding claim4, Okada anticipates the recording medium of claim 3, wherein each still image in the data file is recorded as a packetized elementary stream packet (see column11 line1-10).

Regarding claim5, Okada anticipates the recording medium of claim 4, wherein each packetized elementary stream packet includes at least one source packet (see column11 line1-10).

Regarding claim6, Okada anticipates the recording medium of claim5, wherein each source packet includes at least one transport packet (see column11 line10-13).

Regarding claim7, Okada anticipates the recording medium of claim3, wherein the video data in the data file is recorded as one or more packetized elementary stream packets (see column11 line1-10).

Regarding claim9, Okada anticipates the recording medium of claim3, wherein the video data of the data file represents a still image and is recorded in the data area interleaved with other data (see column7 line13-23).

Regarding claim10, Okada anticipates the recording medium of claim9, wherein the other data is at least one of movie data and audio data (see column7 line13-23).

Regarding claim11, Okada anticipates a recording medium having a data structure for managing reproduction of at least still images recorded on the recording medium, comprising: a data area storing the data file, the data file including video data representing at least one still image, and each still image in the data file is recorded as a packetized elementary stream packet (see column7 line13-23 and see column11 line1-10).

Regarding claim12, Okada anticipates the recording medium of claim11, wherein each packetized elementary stream packet includes at least one source packet (see column11 line1-10).

Regarding claim13, Okada anticipates the recording medium of claim12, wherein each source packet includes at least one transport packet (see column11 line10-13).

Regarding claim 14, Okada anticipates the recording medium of claim 11, wherein the video data of the data file is recorded in the data area interleaved with other data (see column 7 line 13-23).

Regarding claim 15, Okada anticipates the recording medium of claim 4, wherein the other data is at least one of movie data and audio data (see column 7 line 13-23).

Regarding claim 18, Okada anticipates an apparatus for reproducing a data structure for managing reproduction of at least still images recorded on a recording medium, comprising: a driver for driving an optical reproducing device to reproduce data recorded on the recording medium (see figure 20 element 2007 drive); a controller for controlling the driver to reproduce at least one information file from the recording medium, the information file associated with a data file recorded on the recording medium, the data file including at least video data, and the information file including a type indicator indicating whether the video data in the data file is for at least one still image (see figure 20 element 2002 controller).

Regarding claim 20, Okada anticipates an apparatus for recording a data structure for managing reproduction of at least multiple reproduction path video data on a recording medium, comprising: a driver for driving an optical recording device to record data on the recording medium (see figure 19 element 1911 drive); an encoder for encoding at least multiple reproduction path video data (see figure 19 element 1904

encoder); and a controller for controlling the driver to record at least one information file on the recording medium, the information file associated with a data file recorded on the recording medium, the data file including at least video data, and the information file including a type indicator indicating whether the video data in the data file is for at least one still image(see figure19 element 1902 controller).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim8 and 16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada et al (Patent Number US 6,266,483) as applied to claim1-7, 9-15 and 17-20 above, and further in view of Curet et al (Patent Number US 6,823,010).

Regarding claim8 and 16, see the teaching of Okada above. Okada does not teach the only one still image is represents by each packetized elementary stream packet. However Curet et al teaches packtized elementary stream packet comprising single picture see column5 line 57-58).

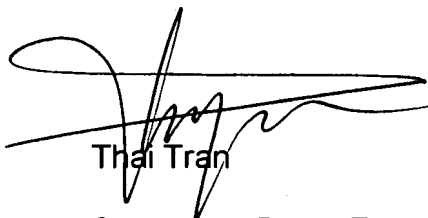
One of ordinary skill in the art at the time the invention was made would have been motivated to have single picture in packetized elementary stream packet as in Curet in to Okada et al recording method because it would make forward and backward predication more effective (see Curet et al column9 line64-column10 line1-31)

Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, all Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thai Tran

Supervisor Patent Examiner

Girumsew Wendmagegn